

1882-040 Chancery Causes: Daniel B. Miles vs. Theresa Miles
Lee Co

Edwards, Turner, Bowman

CA-Divorce
T-Vices

To the Honorable John A. Kelly Judge of
the Circuit Court of Lee County Virginia.

Humbly Complaining your Orator Dan-
iel B. Miles would respectfully show unto
your Honor that ^{on the 7th of January} ~~about the month of~~
1877 he entered into with one Theresa Ed-
wards by which she became Theresa Miles
and the lawful wife of your Orator.

For some time after their marriage your
Orator states that he and his said wife lived
happily together and enjoyed all the happiness
of wedded bliss, but in the course of time
his said wife ceased to love obey & respect
your Orator as she has theretofore done, she
became ill and cross to your Orator and be-
came enamoured of other persons, and fi-
nally became guilty of adultery by hav-
ing carnal knowledge & intercourse with
others than your Orator. Your Orator also
states that as soon as he became aware of his
said wife's infidelity and his own disgrace
he ceased to treat her as his wife and he has
never cohabited or associated with her since
but has lived entirely away from her.

And in addition to these facts your Orator also alleges that his said wife has within the last twelve months given birth to a child which constitutes a certain and unmistakable piece of evidence of her gross infidelity to your Orator and a living monument of her own dishonor. Your Orator would further show you that within five years before the Commencement of this suit the said Menasa Miles has been guilty of adultery & that her adulterous acts were not brought about by his procurement or connivance at by your Orator, but were free and voluntary on her part and against the will of your Orator. Your Orator states that he and his said wife are residents of Lee County & have been such from their childhood.

Your Orator feels himself aggrieved and he is advised that under the facts of his case & the law of the land, he is entitled to relief by a Court of equity from the bond by which he is now bound to his said wife, and to attain that end is the object of this suit.

The prayer of your Orator therefore is that
the said Theresa Miles be made a party
defendant to this bill, and that she be
required to answer the same upon oath
fully & truly, that upon a hearing of the
Cause your Honor will render a decree
totally dissolving the bonds of matrimony
now existing between your Orator and
his said wife, Theresa Miles, and he further
prays for all general & special relief
to which he may be entitled. May
the Court do right & so advise.

F. R. Stickley
for Pettr.

¹⁵
D. B. Miles

vs. H. Billmeyer

Theresa Miles

6	5.52
8	15.00
3	1.00
rest	2.50
Comm.	<u>\$24.52</u>

1882. Bill filed At Mr. Butler
" Mr. Speer & Co. A.
" Apr. 10. A. Court & Court
" May, June & July Court
" Aug. Set for hearing by Diff.

Divorce
warrant

D. B. Miles.

Plff

vs.

$\frac{3}{4}$ In Chancery.

Theresa Miles.

Def.

This cause came on this 4th day of September 1882 to be heard upon the bill of the Plaintiff and the deposition filed therewith. and was argued by counsel. And it appearing that the defendant has been duly served with process. and that she has failed to appear answer or plead. On consideration ~~whereof~~ it is adjudged ordered and decreed that the bonds of Matrimony heretofore existing between the Plaintiff and defendant be and they are hereby dissolved. But it appearing to the Court that the defendant Theresa Miles has been guilty of infidelity to her husband she is hereby prohibited from again contracting a marriage with any person. and it is further adjudged that the Plff recover of the defendant his costs in this behalf expended to be taxed by the Clerk - and this cause is continued.

D.B. Miles

~~no~~ 3 Decree

Theresa Miles

Entered Page 268

J. A. Hyatt

Enter this name

J. A. H.

Sept 4th 1882.

To There is a Miles.

You will please take notice
that on ~~Saturday~~ Monday the 27th day of March
1882 at the Circuit Court Clerk's office
in Danville Va I will proceed to
take the Depositions of George K. Turner and
Others which when taken are intended to be read
as evidence in my behalf in a certain suit in
Chy. now pending in the Circuit Court of Lee County
Va. in which I am Plaintiff and you Defendant.
And if from any Cause the taking of said depositions
be not commenced or if commenced be not
completed on that day the taking of the same will be
adjourned & continued from time to time till completed.

David B. Miles, Jr.

Paul B. Miles
vs. { Notice
Theresa Miles

Notice

Executed by

F. Miles

Attest

28 Ely St

The depositions of G. K. Turner and
taken before me J. A. Hyatt a Comr.
in Chancery for the County Court of
Lee County, Va pursuant to notice
herewith filed, in the Clerk's Office
of the Circuit Court, of said County & State,
on this the 27th day of March 1882, to
be read as evidence in behalf of the
Plaintiff, in a Chancery Cause now pending
in the Circuit Court of said County, in
which Daniel B. Miles is Plff, and Theresa
Miles is defendant G. K. Turner

a witness of lawful

age, being duly sworn deposes & says-

~~Question~~ ~~By Plff~~ I am a regular practicing
physician and some time in Decem-
ber last I was called to attend Theresa
Miles in labor & was present at
the close of her labor and the said
Theresa Miles was threatened with
death from flooding in consequence
of having given birth to a child
a short while before I arrived.
After relieving her from her danger
I saw the newborn infant lying
in her arms.

And further this witness saith not.

G. K. Turner, M.D.

Elias Bowman an other witness of
lawful age after being duly sworn
deposes and says -

Ques 1st Has Theresa Miles been living at
your house & if so how long
has she been there

Ans - She has been living at my house
about 3 or 4 months.

Ques 2nd Did she give birth to a child
while living at your house?

Ans - She did.

Ques Do you recollect at what time
it happened?

Ans In the latter part of December ^{last}

~~Ques~~ Has Daniel B. Miles seen

And further this deponent saith not

Sect. J. H. Hyatt Elias Bowman
mark

Continued to March 29th/1882

Francis Miles an other witness of
lawful age being duly sworn
deposes and says -

Question 1st by Plffs Counsel.

Are you acquainted with the parties
to this suit - Daniel & Theresa Miles?

Ans. I am.

Ques. 2^d When did the said Daniel and
Theresa Miles part?

Ans. Something over three years ago.

Ques. Since they separated have they
lived separat & apart from each
other?

Ans. I am pretty certain that they have,
or that they have spoken to each
other. And further this deponent
s with me. France Miles

Virginia

Lee County to wit,

I J. A. Hyatt a
Commissioner in Chancery for
the County Court, do certify
that the foregoing deposition
of G. R. Lurmer, Elias Bowman
and France Miles were taken
before me subscribed to ~~and signed~~
by them in my presence, at the
time and place stated in the
caption given under my hand,
this 29th March 1882

J. A. Hyatt
Comr

O. B. Miles
US Dep of Aff

Theresa Miles

Filed March 1882

J. A. Hyatt
Clerk

Courtesy \$2.50
wit .50
3.00

~~H~~ H.C. Joslyn

4.80

2.65-

~~2.15-~~
10

2.05-

250

205-

45-

44

4

81

APRIL
24
WEDNESDAY

A republic is not founded on virtue,
but on the ambition of its citizens.

Voltaire.

April 24.

The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting :

We Command you to Summon

Theresa Miles

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

March

next, being rule day to answer a bill in Chancery, exhibited in our said Court against

her

by

Daniel B. Miles

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the Court-House

this *27* day of *February* 188*2*; in the *106* year of the Commonwealth.

J. A. G. Hyatt

CLERK.

Stickney

Daniel B. Miles
vs $\frac{3}{4}$ Spanchey
Theresa Miles

Lo March Rules 1882

Executed
by delivering
an office copy
of the within to
Theresa Miles
March 12th 1881

France Miles
D. S. for Thomas
S. Ely S. L.

Chd

The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting :

We Command you to Summon

Elias Bowman

me J. A. Hyatt Clerk
To appear before the Judge of our Circuit Court of Lee, at the Court-House, on the *25th* day of

March 1882 Term next, to testify and the truth to speak in behalf of *G. B. Miles*
in certain matters of controversy pending in our said Court between *said Miles*

PAINTIFF and

Theresa Miles

DEFENDANT. and this *he* shall in no wise omit under penalty of

Twenty Dollars. And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court
at the court-house this *25th* day of *March* 1882; in the *10th* year of the Commonwealth

J. A. Hyatt CLERK.

O. B. Miles
vs 3 Spa —

Theresa. Miles

To, 25th day March 1882

802
25-2
55-2